

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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MICHAEL V. LUJAN,

Case No. 3:21-cv-00343-MMD-WGC

**Petitioner,**

v.

## ORDER

CHARLES DANIELS, *et al.*,

## Respondents.

11           In this habeas corpus proceeding, this Court entered orders on October 6, 2021,  
12 and November 16, 2021, directing the Petitioner Michael v. Lujan to file an amended  
13 habeas petition on the Court's approved form, as required by LSR 3-1 of the Local Rules  
14 of Practice. (ECF Nos. 12, 16.) Both orders warned Lujan that his failure to do so within  
15 30 days would result in dismissal of this case, without prejudice. (*Id.*) Lujan has not  
16 complied with the orders or requested an extension of time within which to do so.

17 It is therefore ordered that that this action is dismissed without prejudice. If Lujan  
18 wishes to pursue a writ of habeas corpus, he must file a new petition in a new action in  
19 compliance with the Court's Local Rules.

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1        It is further ordered that a certificate of appealability is denied, as jurists of reason  
2 would not find the Court's dismissal of this action without prejudice to be debatable or  
3 incorrect.

4        The Clerk of Court is directed to enter judgment accordingly and close this case.

5        The Clerk of Court is further directed to send Lujan two copies each of an  
6 application form to proceed *in forma pauperis* for incarcerated persons, a noncapital  
7 Section 2254 habeas petition form, and one copy of the instructions for each form.

8        DATED THIS 6<sup>th</sup> Day of January 2022.

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11        MIRANDA M. DU  
12        CHIEF UNITED STATES DISTRICT JUDGE

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